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SPECIALIZING IN INTELLECTUAL PROPERTY

OCT 19 2005

SUITE 1201  
900 CHAPEL STREET  
NEW HAVEN, CONNECTICUT 06510-2802GREGORY P. LAPointe  
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(203) 789-0582FAX COVER SHEETTO: BPAI  
571-273-0299  
FAX NO.: 571-273-8300FROM: Gregory Lapointe  
DATE: October 19, 2005YOUR REF.: Appeal No. 2005-0951 OUR REF.: 01-407PAGES: 3 including this sheet       via Fax and Mail✓ via Fax only

## \* Comments:

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10/19/05 07:54 FAX 203 865 0297

BACHMAN LAPOINTE

OCT 11 2005

002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Butsch et al. Confirmation No.: 7784  
Appeal No. : 2005-0951  
Serial No. : 09/890,715  
Filed : December 31, 2001  
TC/A.U. : 3731  
Examiner : Daniel J. Davis  
Docket No. : 01-407  
Customer No.: 34704

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

RESPONSE TO NOTICE OF HEARING

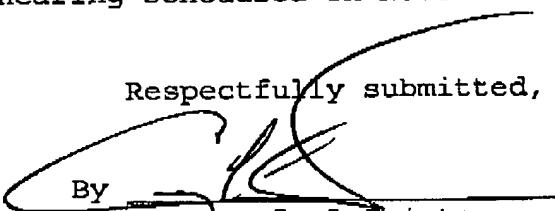
Board of Patent Appeals and Interferences  
Hon. Commissioner of Patents & Trademarks  
United States Patent & Trademark Office  
Washington, D.C. 20231

Dear Sir:

In response to the Notice of Hearing mailed September 30, 2005 having a period for response set to expire October 21, 2005, submitted herewith is the confirmation that the undersigned will attend the hearing scheduled on November 16, 2005 at 1:00 PM.

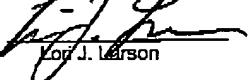
Respectfully submitted,

By

  
Gregory P. LaPointe  
Attorney for Applicant  
Reg. No. 28,395

Date: October 19, 2005

I hereby certify that this correspondence is being faxed to the USPTO Central Fax No. (571) 273-8300 and the BPAI Fax No. (571) 273-0299 on October 19, 2005.

  
Jon J. Larson



## United States Patent and Trademark Office

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office

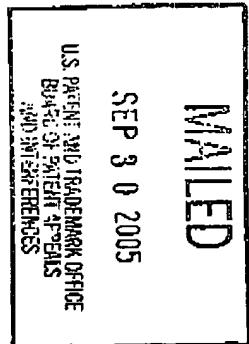
P.O. Box 1450

Alexandria, Virginia 22313-1450

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Bachman & LaPointe  
900 Chapel Street Suite 1201  
New Haven, CT 06510-2802

Appeal No: 2005-0951  
Appellant: Micheal Butsch et al.  
Application No: 09/890,715  
Hearing Room: B  
Hearing Docket: B  
Hearing Date: Wednesday, November 16, 2005  
Hearing Time: 01:00 PM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450



## Response Due

NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquires, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:  HEARING ATTENDANCE CONFIRMED  HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

10/19/05  
Date

28,395  
Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/wch/offices/dcom/bpai/docs/contact\\_info.htm](http://www.uspto.gov/wch/offices/dcom/bpai/docs/contact_info.htm)

